

**CITY OF LEOMINSTER**

**CITY COUNCIL**

**OCTOBER 23, 2006**

**HEARING BEFORE THE CITY COUNCIL, 7:15 P.M.**

**(Continued from October 10, 2006)**

- 13-07 Susan Chalifoux-Zephir: Grant a Special Permit to use an existing building located at 307 Whitney Street , located in an Industrial zone and shown on Assessor's Map 569 as Lot 19, for a restaurant. (Legal Affairs)

**PUBLIC FORUM, 7:45 P.M.**

**REGULAR MEETING OF THE CITY COUNCIL, 8:00 P.M.**

**ROLL CALL**

**COMMUNICATIONS**

- C-24 Relative to the appropriation of \$2,000.00 to the Conservation Expense Account; same to be transferred from the Wetland Fees Reserved for Appropriation Account. (Finance)
- C-25 Relative to the appropriation of \$400.00 to the Health Department Expense Account; same to be transferred from the Emergency Reserve Account. (Finance)
- C-26 Dean J. Mazzarella, Mayor: Request that a donation account be established for Traffic/Signal Improvements as authorized by Massachusetts General Laws, Chapter 44, Section 53A. (Legal Affairs)

## **REGULAR MEETING OF THE CITY COUNCIL, continued**

### **PETITIONS**

- 30-07      National Grid and Verizon New England, Inc.: First Avenue: Install one jointly owned pole on First Avenue beginning at a point approximately 200 feet south of the centerline of the intersection of Mechanic Street. (Public Service)
  
- 31-07      Paul DiGeronimo, Lord Nelson Corporation and Johnny Appleseed Realty, LLC: Accept a deed and approve the layout of Richard Road, a portion of Montrose Street and a portion of Sawtelle Road as public ways. (Public Service)
  
- 32-07      Segundo Gutierrez, Jr., on behalf of Ronald C. Largey: Grant a Special Permit to use an existing building located at 146 Hamilton Street, located in an Industrial zone and shown on Assessor's Map 238 as Lot 6, for an auto repair garage and an additional Special Permit for automobile storage within the Flood Plain. (Legal Affairs)
  
- 33-07      William C. (Bud) Taylor II: Adopt an Ordinance requiring all appropriations over one million dollars (\$1,000,000.00) that effect property taxes levied by the City of Leominster be affirmed by vote for a debt exclusion through a ballot put before the entire electorate in the City of Leominster prior to the appropriation legally being place on the City Council agenda for approval and this ordinance shall have no exception to it. (Legal Affairs)
  
- 34-07      Dennis A. Rosa: Research the feasibility and cost of implementing Local Tax Exemptions for Veterans, Chapter 260 of the Acts of 2006, as amended by Chapter 310, §8, 33 and 34 of the Acts of 2006, which includes a new local option; G.L. c.59, §5L . (Legal Affairs)

## **MATTERS BEFORE THE CITY COUNCIL**

### **FINANCE**

- C-18      Relative to the appropriation of \$46,165.00 to the Gallagher Building Salary & Wages Account; same to be transferred from the Gallagher Building Revolving Fund.
  
- C-19      Relative to the appropriation of \$73,835.00 to the Gallagher Building Expense Account; same to be transferred from the Gallagher Building Revolving Fund.

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## **MATTERS BEFORE THE CITY COUNCIL, continued**

### **FINANCE, continued**

- C-20      Relative to the appropriation of \$7,400.00 to the Sanitation and Drainage Expense Account; same to be transferred from the Emergency Reserve Account.
- C-21      Relative to determining the factor to be used in setting the Fiscal Year 2007 tax rate. (Hearing scheduled for November 27, 2006 at 6:45 P.M.)
- C-23      Relative to the appropriation of \$25,000.00 to the Highway Overtime Salary & Wages Account; same to be transferred from the Emergency Reserve Account. (Granted on October 10, 2006 as an Emergency Preamble, another vote is required.)

### **PUBLIC SERVICE**

- 25-07      Roger Lucier: Accept and approve the layout of "Harbor Light Road" as a public way.

### **LEGAL AFFAIRS**

- C-17      Dean J. Mazzearella, Mayor: Amend Chapter 16, Section 16-34, of the Revised Ordinances to change the classification of Secretary (mayor's secretary) from an S-3 to an S-4 and amend the job title to Mayoral Aide.
- 26-07      Richard M. Marchand: Request that the City Council endorse an ordinance prohibiting the presence of pets or other animals during the agreed upon operational hours of the annual Johnny Appleseed Arts and Cultural Festival on the City streets and other designated areas identified as the festival grounds, for reasons of public health and safety and allow the City Council to extend this prohibition to other City events or specific public areas as public safety and convenience may require.
- 27-07      Patrick LaPointe: Amend Chapter 21 Section 21-13(b) of the Revised Ordinances entitled "Regulation for use of Water" to reflect the homeowners responsibility for the maintenance of the water and sewer service pipe from the main in the street into the dwelling.

## **MATTERS BEFORE THE CITY COUNCIL, continued**

### **PUBLIC SAFETY**

- 28-07      Leominster Recreation Department: Request permission to block off West Street from City Hall to Main Street, down Main Street to Carter Park on Sunday, October 29, 2006 from 2:00 P.M. until 2:30 P.M. for the annual Halloween Costume Parade.

### **CITY PROPERTY**

- 29-07      New England Farm Workers' Council: Request permission to use the City Council chambers to take Fuel Assistance applications on October 16<sup>th</sup>, 18<sup>th</sup>, 25<sup>th</sup>, November 1<sup>st</sup>, 6<sup>th</sup>, 20<sup>th</sup>, 27<sup>th</sup>, December 4<sup>th</sup>, 18<sup>th</sup>, 21<sup>st</sup>, 2006 and January 4<sup>th</sup>, 8<sup>th</sup>, 18<sup>th</sup>, 22<sup>nd</sup>, and 29<sup>th</sup>, 2007.

### **WAYS & MEANS**

- C-22      Dean J. Mazzarella, Mayor: Request that Larry Gianakis, employee of the Leominster School Department, be exempt from the provisions of M.G.L. Chapter 268(A) (20B) Conflict of Interest as he will be temporarily performing the duties of Conservation Agent.

### **OLD BUSINESS**

### **NEW BUSINESS**

1<sup>st</sup> Reading Ordinance – amend Chapter 16, Section 16-31 of the Revised Ordinances entitled “Method of Step Advances” by adding subsection (e) Officers and employees with positions classified in the “S” classification plan that are promoted or transferred to a different position with the “S” classification plan shall be entitled to advance to the next scheduled step for their new position on the subsequent July 1<sup>st</sup>, notwithstanding that they may have held their new position for less than twelve months. (Legal Affairs Petition # 16-07)

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**TABLED PETITION UPON WHICH ACTION IS PROPOSED**

13-07        Susan Chalifoux-Zephir: Grant a Special Permit to use an existing building located at 307 Whitney Street, located in an Industrial zone and shown on Assessor's Map 569 as Lot 19, for a restaurant.

Lynn A. Bouchard  
City Clerk  
October 19, 2006